

AMENDED IN SENATE APRIL 17, 2006

**SENATE BILL**

**No. 1709**

---

**Introduced by Senator Scott**

**(Principal coauthor: Senator Denham)**

(Principal coauthor: ~~Assembly Member Liu~~ coauthors: *Assembly Members Daucher and Liu*)

**(Coauthor: Senator Denham)**

(Coauthors: ~~Assembly Members Daucher, Koretz, Koretz and Negrete McLeod~~)

February 24, 2006

---

An act to add Chapter 3.3 (commencing with Section 66130) to Part 40 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1709, as amended, Scott. Postsecondary education: College Opportunity Act of 2006.

Existing law establishes the system of postsecondary education in this state, which consists of the California Community Colleges, the California State University, the University of California, and independent institutions of higher education.

This bill would enact the College Opportunity Act of 2006. The bill would express various findings and declarations of the Legislature, and statements of legislative intent, with respect to the need to plan for, and fund, growth in the various segments of postsecondary education in the state between the operative date of the act and 2015.

The bill would require the Governor to convene and chair a State of College Opportunity Meeting on a biennial basis on or before March 1, 2007, and on or before March 1 of every odd-numbered year thereafter until, and including, 2015. The bill would specify that the

purpose of these meetings would be to assess the state's progress toward achieving its higher education goals. The bill would provide that the attendees of these meetings would include, but not necessarily be limited to, the executive and trustee leadership of California's public higher education segments, ~~the Student Aid Commission,~~ *legislative leaders of independent colleges and universities, the Superintendent of Public Instruction, leaders of the houses of the Legislature,* representatives of the Legislative Analyst's Office ~~and, the Student Aid Commission,~~ the California Postsecondary Education Commission, *and the Office of the Secretary for Education,* and at least 15 representatives from the labor, business, civic, religious, health care, scientific, and other communities.

The bill would require the State Department of Education to send a letter, by regular post office delivery, to the residence of each pupil in grades 6, 8, and 10, at the beginning of the school year, notifying that pupil and his or her family, that the state encourages these pupils to attend an institution of higher education in California and that the state will provide a place in a community college or university for all eligible students, as well as make available to them all applicable information related to postsecondary options and the range of financial aid programs available to all students.

The bill would require the State Department of Education to make available a toll-free telephone number and Web site to students and parents that shall contain more detailed information that will also serve as a platform for teachers and educators.

The bill would require that, commencing with the 2007–08 academic year and each year thereafter, in order to improve coordination between secondary schools and the California Community Colleges, the Chancellor of the California Community Colleges develop a method of providing statewide information to ~~Grade~~ *grade* 11 pupils using the ~~Grade~~ *grade* 11 standards test so that pupils will know what they need to work on in ~~Grade~~ *grade* 12 in order to be able to perform college-level work.

The bill would require the Board of Governors of the California Community Colleges and the Trustees of the California State University, and request the Regents of the University of California and the Association of Independent California Colleges and Universities, in coordination with the Legislative Analyst's Office, *and in consultation with the California Postsecondary Education Commission,* to develop a joint 10-year enrollment growth plan for

meeting statewide goals for *improved* participation and completion. ~~The bill would require the California Postsecondary Education Commission to work in coordination with each of the segments of postsecondary education, the Legislative Analyst's Office, the Department of Finance, and other entities that it deems appropriate, on this enrollment growth plan, as specified.~~

The bill would require the board of governors and the trustees, and request the regents and the association, to each develop a plan for improved completion rates in their respective segments, *to work in conjunction with one another to coordinate efforts toward meeting the specified targets and goals of each segment*, and to each make an annual report on critical indicators of success in meeting the goals of the enrollment plan developed pursuant to the bill and on methods of maintaining and achieving progress in meeting statewide goals for access and success with the efficient use of resources.

The bill would require the trustees, and request the regents, to report data to the Legislature and the Governor based on freshman enrollment, transfer admissions, completion rates, units to degree, and other efficiency indicators.

*The bill would require the Superintendent of Public Instruction to report to the Legislature and the Governor on the most recent results of the existing elementary and secondary school assessments and accountability measures and the latest college-going data.*

*The bill would require the California Postsecondary Education Commission to work in coordination with each of the segments of postsecondary education, the Legislative Analyst's Office, the Department of Finance, and other entities that it deems appropriate, to compile a progress report that assesses the progress towards reaching the numerical target goals of access, success, and degree completion pursuant to the bill.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Chapter 3.3 (commencing with Section 66130)
- 2 is added to Part 40 of the Education Code, to read:

## CHAPTER 3.3. COLLEGE OPPORTUNITY ACT OF 2006

## Article 1. General Provisions

66130. (a) This act shall be known, and may be cited, as the College Opportunity Act of 2006.

(b) In enacting the College Opportunity Act of 2006, it is the intent of the Legislature to renew its commitment to the promise made in the 1960 Master Plan for Higher Education *to provide a place in community college or university for every student who is eligible and seeks it*. The central goal of this act is for a greater number of young Californians to pursue and complete a college education.

66130.3. (a) The Legislature finds and declares all of the following:

(1) ~~A population explosion significant gain in population~~ among Californians of college-going age (between 18 and 24 years of age) in the next decade will push this age group to a projected 4,260,000 in 2015, an increase of 27 percent from 2000 to 2015.

(2) California is in prime position to invest now in higher education to *help* secure the state's economic future.

(3) If we fail to invest, the state is likely to face a host of social and economic difficulties associated with a population boom of young people ill-prepared for the demands of the 21st century economy.

(4) A 2005 study by ~~the University of California, Berkeley~~ *University of California, Berkeley, researchers* entitled, "Return on Investment: ~~Education~~ Educational Choices and Demographic Change in California's Future," quantifies the potential benefits of state investment in higher education, as well as the costs of failing to invest. This study has found that the gains are substantial: for every new dollar California invests to get more students in and through college above current levels, it will receive a net return on its investment of three dollars.

(5) ~~Given historic trends in college participation and the lack of state funding to meet current student enrollment demands and expected gains in college participation,~~ it is likely that approximately 1,800,000 students will ~~be turned away from seek~~

1 *access to our public community colleges and universities*  
2 *between 2004 and 2013 above current capacity.*

3 (b) (1) Therefore, it is the intent of the Legislature to  
4 accomplish all of the following:

5 (A) *Create a policy with goals for improved college*  
6 *participation and completion, and measure the state's progress*  
7 *towards achieving those goals, including efforts by our*  
8 *community colleges, public universities, and independent*  
9 *colleges towards achieving those goals.*

10 (B) *Increase the cumulative number of new college graduates*  
11 *with associate, bachelor's, or graduate degrees by at least*  
12 *440,000, as well as increase the number of certificate program*  
13 *completions over current college completion levels over the next*  
14 *10 years to ensure that the growing generation of young*  
15 *Californians is prepared to meet the growing workforce needs of*  
16 *the state, provide opportunities for lifelong learning and training*  
17 *for California adults, and to provide civic benefits to the people*  
18 *of California.*

19 (C) *Improve the quality of life and keep the promise of college*  
20 *opportunity for its growing and changing population.*

21 (D) *Increase the college participation and completion rates*  
22 *for all students, especially for underrepresented ethnic minority*  
23 *groups in the state and in regions of the state that are*  
24 *underrepresented in college attendance.*

25 (2) *In an effort to accomplish the goals referenced in*  
26 *paragraph (1), it is further the intent of the Legislature to*  
27 *accomplish both of the following:*

28 (A) *Require the Governor to convene and chair a State of*  
29 *College Opportunity Meeting on a biennial basis on or before*  
30 *March 1, 2007, and on or before March 1 of each odd-numbered*  
31 *year thereafter until, and including, 2015.*

32 (B) *Launch a proactive program of outreach and academic*  
33 *preparation and awareness of postsecondary options and*  
34 *financial aid among middle and high school pupils and their*  
35 *families.*

36  
37 *Article 2. Policies to Encourage Higher Participation Rates*

38  
39 *66131. The Governor shall convene and chair a State of*  
40 *College Opportunity Meeting on a biennial basis on or before*

1 *March 1, 2007, and on or before March 1 of every odd-numbered*  
2 *year thereafter until, and including, 2015. This meeting shall*  
3 *assess the state's progress toward achieving its higher education*  
4 *goals.*

5 *(a) Invitees at the biennial meeting shall include, but not*  
6 *necessarily be limited to, the executive and trustee leadership of*  
7 *California's public higher education segments, leaders of*  
8 *independent colleges and universities, the Superintendent of*  
9 *Public Instruction, leaders of the houses of the Legislature,*  
10 *representatives of the Legislative Analyst's Office, the Student*  
11 *Aid Commission, the California Postsecondary Education*  
12 *Commission, and the Office of the Secretary for Education, and*  
13 *at least 15 representatives from the labor, business, civic,*  
14 *religious, health care, scientific, and other communities.*

15 *(b) The biennial meeting shall result in a report including, but*  
16 *not necessarily limited to, discussions of all of the following:*

17 *(1) Progress toward meeting state goals in terms of access and*  
18 *success.*

19 *(2) The adequacy of state funding in relation to the financing*  
20 *plan.*

21 *(3) Improvements in efficiency and joint use of resources,*  
22 *including early assessment and improved academic preparation*  
23 *of elementary and secondary pupils, efficient transfer paths, and*  
24 *joint use of facilities.*

25 *(4) Affordability of college through fee and financial aid*  
26 *policies.*

27 *(5) The total effect of higher education in meeting the needs of*  
28 *the workforce and the civic life of the state, with attention on*  
29 *specific industries and employment areas, such as mathematics,*  
30 *science and technology, health care, and public service,*  
31 *including teaching.*

32 *(c) This report shall be completed and made available to the*  
33 *public by the Governor's office, or by a designee of the*  
34 *Governor, and may be produced in conjunction with any of the*  
35 *invitees referenced in subdivision (a).*

36 *(d) The state shall contract, by or before each biennial*  
37 *meeting, with a nationally recognized expert to provide an*  
38 *assessment of state performance and policy recommendations in*  
39 *addition to those assessments provided by state agencies and the*

1 *segments of postsecondary education in the report required by*  
2 *subdivision (b).*

3 *66131.3. (a) The State Department of Education shall send a*  
4 *letter, by regular post office delivery, to the residence of each*  
5 *pupil in grades 6, 8, and 10, at the beginning of the school year;*  
6 *notifying that pupil and his or her family of both of the following:*

7 *(1) That the state encourages these students to attend an*  
8 *institution of higher education in California.*

9 *(2) That the state will provide a place in a community college*  
10 *or university for all eligible students, as well as make available*  
11 *to them all applicable information related to postsecondary*  
12 *options and the range of financial aid programs available to all*  
13 *students.*

14 *(b) Pursuant to Section 48985, notification letters sent*  
15 *pursuant to subdivision (a) shall be made available in languages*  
16 *other than English for students and their families if the number of*  
17 *students in that school who speak that foreign language make up*  
18 *at least 15 percent of the total school population.*

19 *(c) The notification letters shall carry the signature of the*  
20 *Governor and of the Superintendent of Public Instruction. The*  
21 *Superintendent of Public Instruction shall determine the best*  
22 *method to distribute these letters using existing communication*  
23 *methods, such as the method employed to distribute the results of*  
24 *the Standardized Testing and Reporting (STAR) Program or*  
25 *through any other means deemed appropriate.*

26 *(d) The Superintendent shall make this letter available to*  
27 *private schools and other schools outside the elementary and*  
28 *secondary public school system for dissemination to parents by*  
29 *those entities.*

30 *(e) The State Department of Education shall make available a*  
31 *toll-free telephone number and Web site to students and parents*  
32 *that shall contain more detailed information that will also serve*  
33 *as a platform for teachers and educators.*

34 *66131.5. Commencing in the 2007–08 academic year and*  
35 *each year thereafter, in order to improve coordination between*  
36 *secondary schools and the California Community Colleges, the*  
37 *Chancellor of the California Community Colleges shall develop*  
38 *a method of providing statewide information to grade 11 students*  
39 *using the grade 11 standards test so that students will know what*  
40 *they need to work on in grade 12 in order to be able to perform*

1 college-level work. This includes participation by the California  
2 Community Colleges in the Early Assessment Program  
3 administered by the California State University and the State  
4 Department of Education.

5 66131.7. (a) In coordination with the Legislative Analyst's  
6 Office and in consultation with the California Postsecondary  
7 Education Commission, the Board of Governors of the California  
8 Community Colleges and the Trustees of the California State  
9 University shall, and the Regents of the University of California  
10 and the Association of Independent California Colleges and  
11 Universities are requested to, develop a joint 10-year enrollment  
12 growth plan for meeting statewide goals for improved  
13 participation and completion. This enrollment growth plan shall  
14 include, but not necessarily be limited to, all of the following:

15 (1) Setting, as a goal, the addition of 440,000 students, who  
16 will graduate with associate, bachelor's, or graduate degrees, as  
17 well as to significantly increase the number of certificate  
18 program completions, from California postsecondary education  
19 institutions.

20 (2) Making a commitment to at least a 2.5 percent annual  
21 enrollment growth rate for the University of California, a 2.5  
22 percent annual enrollment growth rate for the California State  
23 University, and a 3 percent annual enrollment growth rate for  
24 the California Community Colleges, as well as a commitment to  
25 set segment-by-segment goals for an improved rate of completion  
26 of degrees, up to and including the 2014–15 fiscal year.

27 (3) Setting goals for overall college participation.

28 (b) Prior to the start of each biennial meeting convened  
29 pursuant to Section 66131, the Governor may modify the  
30 numerical targets and goals set in the enrollment plan developed  
31 pursuant to subdivision (a), as these targets and goals relate to  
32 the number of new college graduates needed in order to ensure  
33 that the growing generation of young Californians is prepared to  
34 meet the growing workforce needs of the state, provide  
35 opportunities for lifelong educational and employment training  
36 for California adults, and meet other civic and educational goals  
37 of the state.

38 66132. It is the intent of the Legislature to enact legislation to  
39 accomplish all of the following:



1     (a) *To fund enrollment growth of the University of California*  
2     *at a rate of at least 2.5 percent up to and including the 2014–15*  
3     *fiscal year.*

4     (b) *To fund enrollment growth of the California State*  
5     *University at a rate of at least 2.5 percent up to and including the*  
6     *2014–15 fiscal year.*

7     (c) *To fund enrollment growth of the California Community*  
8     *Colleges at a rate of at least 3 percent up to and including the*  
9     *2014–15 fiscal year.*

10    (d) *To provide the necessary financial aid funding to cover the*  
11    *student population and its changing needs, including the needs of*  
12    *students attending independent colleges and universities.*

13    66132.3. *The Board of Governors of the California*  
14    *Community Colleges and the Trustees of the California State*  
15    *University shall, and the Regents of the University of California*  
16    *and the Association of Independent California Colleges and*  
17    *Universities are requested to, each develop a plan for improved*  
18    *completion rates in their respective segments, as well as work in*  
19    *conjunction with one another to coordinate efforts toward*  
20    *meeting the specified goals and targets of each of the segments.*  
21    *The board of governors and the trustees shall, and the regents*  
22    *are requested to, work on plans to improve transfer pathways for*  
23    *community college students.*

24    66132.5. (a) *The Board of Governors of the California*  
25    *Community Colleges and the Trustees of the California State*  
26    *University shall, and the Regents of the University of California*  
27    *and the Association of Independent California Colleges and*  
28    *Universities are requested to, each report annually on all of the*  
29    *following:*

30    (1) *Critical indicators of success in meeting the goals of the*  
31    *enrollment plan developed pursuant to Section 66131.7.*

32    (2) *Methods of maintaining and achieving progress in meeting*  
33    *statewide goals for access and success with the efficient use of*  
34    *resources.*

35    (b) *The Trustees of the California State University shall, and*  
36    *the Regents of the University of California are requested to,*  
37    *report data to the Legislature and the Governor based on*  
38    *freshman enrollment, transfer admissions, completion rates, units*  
39    *to degree, and other efficiency indicators.*

1 (c) *The Superintendent of Public Instruction shall report to the*  
2 *Legislature and the Governor on the most recent results of the*  
3 *existing elementary and secondary school assessments and*  
4 *accountability measures and the latest college-going data.*

5 (d) (1) *The California Postsecondary Education Commission*  
6 *(CPEC) shall work in coordination with each of the segments of*  
7 *postsecondary education, the Legislative Analyst's Office, the*  
8 *Department of Finance, and other entities that it deems*  
9 *appropriate, to compile a progress report that shall assess the*  
10 *progress towards reaching the numerical target goals of access,*  
11 *success, and degree completion pursuant to Section 66130.3.*

12 (2) *CPEC shall compile, and transmit, all pertinent data with*  
13 *respect to the progress report required under this subdivision by*  
14 *February 1 of each year, so that the segments of postsecondary*  
15 *education are able to utilize this data in subsequent reports and*  
16 *plans.*

17 (3) *Each segment of postsecondary education and*  
18 *aforementioned entities or state agencies shall, prior to the*  
19 *completion of the progress report required under this subdivision,*  
20 *have a chance to provide input, and comments on drafts of this*  
21 *report, to CPEC.*

22 66132.7. (a) *The Legislature finds and declares both of the*  
23 *following:*

24 (1) *It is the responsibility of the leaders of higher education to*  
25 *work together to set indicators and measurable targets on*  
26 *indicators of access and success and the efficient use of*  
27 *resources.*

28 (2) *Some of the efficiency gains contemplated pursuant to this*  
29 *article require an additional investment in student services and*  
30 *course availability.*

31 (b) *It is the intent of the Legislature that both of the following*  
32 *shall occur:*

33 (1) *Higher education leaders shall work together to develop a*  
34 *plan to improve the efficiency of the higher education system by*  
35 *improving completion rates of degrees and certificates, providing*  
36 *clearer pathways to the attainment of degrees, and reducing*  
37 *unnecessary or duplicated courses or units.*

38 (2) *That the cost per graduate be reduced by 10 percent in*  
39 *inflation-adjusted terms through the successful implementation of*  
40 *strategies developed pursuant to this article over the course of a*

1 decade. This reduction would include a reduction in costs from  
2 increasing economies of scale normally factored in the marginal  
3 cost formula.

4 (c) It is not the intent of the Legislature to decrease or  
5 minimize funding of higher education institutions, or to restrict  
6 student educational opportunities and goals or to diminish the  
7 quality of the education provided to students.

8 66133. (a) The Legislature finds and declares that, through  
9 2015, significant gains in population, expected gains in high  
10 school graduation, desired gains in college-going, and expected  
11 workforce needs must be considered and examined on a regular  
12 basis.

13 (b) It is the intent of the Legislature to accomplish both of the  
14 following:

15 (1) To require the Legislative Analyst's Office and the  
16 Department of Finance to work with the segments of  
17 postsecondary education and the California Postsecondary  
18 Education Commission to deliver an annual financing plan for  
19 higher education by or before February 1, 2007, and each year  
20 through 2015.

21 (2) To ensure that the financing plan developed pursuant to  
22 paragraph (1) is aligned with stated goals for access and  
23 participation, completion rates and student success, quality, and  
24 affordability through fees and financial aid policies.

25  
26  
27 **All matter omitted in this version of the bill**  
28 **appears in the bill as introduced|amended**  
29 **in Senate February 24, 2006 (JR11)**  
30